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the following authorities cited in the opinion; *Elkhart Lodge v. Crary*, 98 Ind. 238; *Brown v. Bank*, 137 Ind. 655; to the effect that such a contract is ultra vires, and for that reason void, see: *City Council v. Plank Road Co.*, 31 Ala. 76; *Hodges v. Buffalo*, 2 Denio (N. Y.) 110; *Halstead v. Mayor*, 3 N. Y. 430. The bond being void no suit can be brought on it. *City Council v. Plank Road Co.*, 31 Ala. 76; but see *State v. City of Buffalo*, 2 Hill (N. Y.) 434.

PICKETING—INJUNCTION.—Defendant union, in pursuance of a resolution of its members, established a system of picketing in the vicinity of complainant's factory. The declared policy of the union was that no force or threats should be resorted to. Crowds of men, composed partly of strikers, collected about the entrances to complainant's factory, accosted and annoyed his employees, and, in one instance at least, employees were assaulted. Held, that an injunction should issue against those strikers who actually took part in the unlawful acts but not against the other members of the union or against the union itself. *Karges Furniture Company v. Amalgamated Woodworkers' Local Union No. 131 et al.* (1905), — Ind. —, 75 N. E. Rep. 877.

It is quite generally agreed that picketing, under proper conditions, is perfectly lawful, EDDY ON COMB., § 537, and cases there cited. The question has of late been before the Illinois courts a number of times and the practice severely criticised. "In imagination and theory a peaceful picket line may be possible, but in fact a picket line is never peaceful. It is always a form of actual warfare and quite inconsistent with everything not related to force and violence. Its use is a form of unlawful coercion." *Franklin Union v. The People* (and four other cases), 38 Chic. Leg. N. 65. One of the border cases on the legality of picketing is *Vegelehn v. Guntner*, 167 Mass. 92, in which the practice was enjoined, JUSTICES FIELD and HOLMES rendering dissenting opinions. As to the scope of the injunction: in *American Steel and Wire Co. v. Wire Drawers' etc. Unions*, 90 Fed. Rep. 598, a temporary injunction was granted against the union and all its members in spite of the fact that against a majority of them there was no evidence whatever. The true rule, so far as picketing is concerned, seems to be: Where the pickets themselves resort to force or intimidation, the injunction should clearly extend to all those who participate in the maintenance of the picket after it has become unlawful. The fact that the pickets were instructed to use only peaceful means does not alter the situation. *Union Pac. R. Co. v. Ruef*, 120 Fed. Rep. 102. Where, however, as in the principal case, it does not appear that the pickets, while acting in that capacity, were parties to the wrongdoing, the injunction is properly limited to those who were guilty of the acts of violence or intimidation, unless it is manifest that the picketing induced the unlawful acts, in which event the injunction should embrace all those, including the union as such, who are responsible for the continuance of the picketing.

PUBLIC LANDS—CONTRACT ASSISTING PRE-EMPTOR IN PERFECTING ENTRY.—Plaintiffs contracted with defendant to pay one-fourth of all expenses accruing to the latter in making final proof and receiving title to certain land; and